

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:09cr13-7

UNITED STATES OF AMERICA,)

)

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vs.

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DORIS DENISE FOSTER.)

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ORDER

THIS MATTER is before the Court on the Defendant's *pro se* Petition for Request of "Brady Material" and "Jencks" pursuant to Brady Rule 16 [Doc. 588] and letter of March 28, 2011, construed as *pro se* motion for trial transcripts [Doc. 591].

The Rules of Practice and Procedure of the United States District Court for the Western District of North Carolina contain the following prohibition:

[T]he Court will not ordinarily entertain a motion filed by a criminal defendant who is still represented by counsel and has not formally waived his or her right to counsel in the presence of a judicial officer after being fully advised of the consequences of waiver.

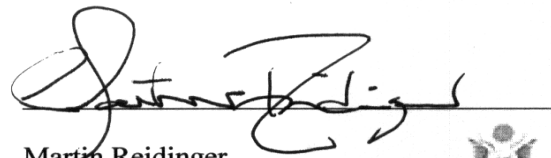
L.Cr.R. 47.1(H).

The Defendant's case is on direct appeal and she is represented by court-appointed counsel. As a result, the Court will not entertain *pro se* filings

by her.

IT IS, THEREFORE, ORDERED that the Defendant's *pro se* Petition for Request of "Brady Material" and "Jencks" pursuant to Brady Rule 16 [Doc. 588] and letter of March 28, 2011, construed as *pro se* motion for trial transcripts [Doc. 591] are hereby **DENIED**.

Signed: May 10, 2011


Martin Reidinger
United States District Judge

